

Chapter 73 Substantial Conformance Improvement Permits (SCIP)

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11-73-1: Purpose and Applicability

The purpose of this chapter is to establish a review process by which improvement standards required by this [Ordinance](#) can be incrementally installed on non-conforming sites when such sites are enlarged; buildings are replaced, extended or have additions constructed; or other site modification developed. The intent is to recognize existing site constraints, and work proportionately with the degree of improvement being sought by the applicant to also improve the property based upon the development standards adopted by the Ordinance, and therefore bring non-conforming developments into substantial compliance with this Ordinance through approval of a [Substantial Conformance Improvement Permit](#) (SCIP).

11-73-2: Allowed Modifications

The only development requirements that may be modified in a [SCIP](#) are building setbacks, landscaping design, on-site parking, building height, right of way dedication, and other site development provisions, contained in this [Ordinance](#).

11-73-3: Required Findings

A [SCIP](#) shall not be granted unless the [Zoning Administrator](#), acting as a [Hearing Officer](#), or [Board of Adjustment](#) shall find upon sufficient evidence that:

- A. The entire development site will be brought into substantial conformance. Substantial conformance shall mean physical improvements to the existing development site which constitute the greatest degree of compliance with this [Ordinance](#) that can be attained without causing or creating any of the following conditions:
 - 1. The demolition or reconstruction of existing buildings or other significant structures (except signs); or

2. The cessation of the existing conforming use, or the preclusion of any other lawful, permitted use.
 3. The creation of new non-conforming conditions.
- B. The improvements authorized by the [SCIP](#) will result in a development that is compatible with, and not detrimental to, adjacent properties or neighborhoods.

11-73-4: Conditions of Approval

After the conclusion of the hearing, the [Board of Adjustment](#) or [Zoning Administrator Hearing Officer](#) may approve, modify, approve with conditions or disapprove the proposed [Substantial Conformance Improvement Permit](#). The Board or [Hearing Officer](#) may condition any approval, and such conditions may include, but are not limited to: review by the [Design Review Board](#); conditions to assure implementation of the submitted plan in accordance with the [Mesa General Plan](#), and other applicable policies and plans adopted by the City; conditions to achieve the purpose and intent of the requested zoning district; and conditions to achieve reasonable compatibility with the proposed use and adjacent land uses.

11-73-5: Appeals; Expiration and Extensions; Modifications

- A. [SCIPs](#) are subject to the appeal provisions of [Chapter 77](#), Appeals.
- B. [SCIPs](#) are subject to the expiration and extension provisions of [Section 11-67-9](#), Expiration and Extensions.
- C. A minor modification of a [SCIP](#) granted pursuant to this Chapter may be approved under [Section 11-67-10\(A\)](#), Modifications of Approvals. Changed plans, including changes in conditions of approval of a variance shall be treated as a new application; see [Section 11-67-10\(B\)](#), Changed Plan.